



U.S. Equal Employment Opportunity Commission

PRESS RELEASE

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EEOC Sues Yale New Haven Hospital for Age and Disability Discrimination

Hospital Unlawfully Subjected Only Physicians Over 70 to Neuropsychological and Eye Exams, Federal Agency Charges

NEW HAVEN - Yale New Haven Hospital, the teaching hospital of the Yale School of Medicine, violated federal law by adopting and implementing a discriminatory "Late Career Practitioner Policy," the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

According to the EEOC's lawsuit, the policy requires any individual aged 70 and older who applies for or seeks to renew staff privileges at the hospital to take both neuropsychological and eye medical examinations. Individuals and employees younger than age 70 are not subject to these requirements.

The EEOC said that those subject to the policy are required to be tested solely because of their age, without any suspicion that their neuropsychological ability may have declined. By subjecting only these older hospital applicants and employees to the policy, the hospital violates the Age Discrimination in Employment Act (ADEA), the EEOC said.

That policy also violates the Americans with Disabilities Act (ADA), the EEOC also charged, specifically its prohibition against subjecting employees to medical examinations that are not job-related and consistent with business necessity.

The EEOC filed suit in U.S. District Court for the District of Connecticut (EEOC v. Yale New Haven Hospital, Civil Action No. 3:20-cv-00187), after first attempting to reach a pre-litigation settlement through its conciliation process. The EEOC seeks compensatory and punitive damages and injunctive relief, which includes the elimination of the policy

"While Yale New Haven Hospital may claim its policy is well-intentioned, it violates anti-discrimination laws," said Jeffrey Burstein, regional attorney for the EEOC's New York District Office. "There are many other non-discriminatory methods already in place to ensure the competence of all of its physicians and other health care providers, regardless of age."

The EEOC's New York acting district director, Judy Keenan, added, "The EEOC will remain vigilant in monitoring the adoption and use of policies that are based on discriminatory age-based assumptions."

The EEOC's New York District Office oversees New York, Northern New Jersey, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire and Maine.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at www.eeoc.gov. Stay connected with the latest EEOC news by subscribing to our [email updates](#).